NOTICE OF APPEAL TO THE **BOARD OF PATENT APPEALS AND INTERFERENCES**

OCT 1 1 2006

In re Application of:

Michael MACH et al.

Application No.: 08/460,715

Filed: June 2, 1995

STRUCTURAL PHOSPHOPROTEIN (PP28) For: OF HUMAN CYTOMEGALOVIRUS (HCMV),

THE PREPARATION AND USE THEREOF

Group Art Unit: 1645

Examiner: Wortman, D.

RECEIVED

OCT 16 2000

TECH CENTER 1600/2900

Assistant Commissioner for Patents Washington, D.C. 20231

Sir:

Applicants hereby appeal to the Board of Appeals from the decision dated April 11, 2000 of the Examiner.

The item(s) checked below are appropriate:

1. [] A Petition for extension of time to respond to the final rejection was filed on [Date] extending the period for response to [Date].

2. [X] A Petition for extension of time to further extend the period for response to October 11, 2000 is enclosed together with a fee of \$890.

3. [X] The Appeal Fee of \$310.00 (or \$155.00 if by small entity)

[X] is enclosed or [] is to be charged to Deposit Account No. 06-0916

4. [X] A check for \$1200 to cover the above fees is enclosed.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

10/12/2000 SDUDNG

LAW OFFICES

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WASHINGTON, DC 20005 202-408-4000

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Dated: October 11, 2000

310.00 OP

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FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P.

David S) Forman

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